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***Via Certified Mail –
Return Receipt Requested***

September 10, 2020

Drew Corbett, City Manager
Members of the City Council
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403-1338

Brad B. Underwood, P.E., L.S., Director
Head of Agency
Department of Public Works
City of San Mateo
330 W. 20th Avenue
San Mateo, CA 94403-1338

Re: Notice of Violations and Intent to File Suit Under the Federal Water Pollution Control Act (Clean Water Act)

Dear Mr. Corbett, Mr. Underwood, Head of Agency, and Members of City Council:

STATUTORY NOTICE

This Notice is provided on behalf of California River Watch ("River Watch") in regard to violations of the Clean Water Act ("CWA" or "Act"), 33 U.S.C. § 1251 *et seq.*, that River Watch alleges are occurring through the ownership and/or operation of the City of San Mateo's Wastewater Treatment Plant ("WWTP") and associated sewage collection system.

River Watch hereby places the City of San Mateo ("City"), as owner and operator of the WWTP and associated sewer collection system, on notice that following the expiration of sixty (60) days from the date of this Notice, River Watch will be entitled under CWA § 505(a), 33 U.S.C. § 1365(a), to bring suit in the U.S. District Court against the City for continuing violations of an effluent standard or limitation pursuant to CWA § 301(a), 33 U.S.C. § 1311(a), and the San Francisco Bay Regional Water Quality Control

Board ("SF-RWQCB), Water Quality Control Plan ("Basin Plan"), as the result of violations of the City's National Pollution Discharge Elimination System ("NPDES") Permit.

The CWA regulates the discharge of pollutants into navigable waters. The statute is structured in such a way that all discharges of pollutants are prohibited with the exception of enumerated statutory provisions. One such exception authorizes a discharger, which has been issued a permit pursuant to CWA § 402, 33 U.S.C. § 1342, to discharge designated pollutants at certain levels subject to certain conditions. The effluent discharge standards or limitations specified in an NPDES permit define the scope of the authorized exception to the CWA § 301(a), 33 U.S.C. § 1311(a) prohibition such that violation of a permit limit places a discharger in violation of the CWA. River Watch alleges the City is in violation of the CWA by violating the terms of its NPDES permit.

The CWA provides that authority to administer the NPDES permitting system in any given state or region can be delegated by the Environmental Protection Agency ("EPA") to a state or to a regional regulatory agency provided that the applicable state or regional regulatory scheme under which the local agency operates satisfies certain criteria (see 33 U.S.C. § 1342(b)). In California, the EPA has granted authorization to a state regulatory apparatus comprised of the State Water Resources Control Board ("SWRCB") and several subsidiary regional water quality control boards to issue NPDES permits. The entity responsible for issuing NPDES permits and otherwise regulating the City's operations in the region at issue in this Notice is the SF-RWQCB.

While delegating authority to administer the NPDES permitting system, the CWA provides that enforcement of the statute's permitting requirements relating to effluent standards or limitations imposed by the Regional Boards can be ensured by private parties acting under the citizen suit provision of the statute (see CWA § 505, 33 U.S.C. § 1365). River Watch is exercising such citizen enforcement to enforce compliance by the City with the CWA.

NOTICE REQUIREMENTS

The CWA requires that any Notice regarding an alleged violation of an effluent standard or limitation, or of an order with respect thereto, shall include sufficient information to permit the recipient to identify the following:

1. Standard, Limitation, or Order Alleged to Have Been Violated

The order violated is NPDES No. CA0037541. River Watch has identified specific violations of the City's NPDES permit including raw sewage discharges and failure by the City to either comply with or provide evidence that it has complied with all the terms of its NPDES permit.

2. Activity Alleged to Constitute a Violation

River Watch contends the City has violated the Act as described in this Notice. River Watch contends these violations are continuing or have a likelihood of occurring in the future.

A. Sanitary Sewer Overflows, Inadequate Reporting, and Failure to Mitigate Impacts

i. Collection System Surface Discharges Caused by Sanitary Sewer Overflows

Sanitary Sewer Overflows (“SSOs”), in which untreated sewage is discharged above ground from the sewage collection system prior to reaching the WWTP, are alleged to have occurred both on the dates identified in California Integrated Water Quality System (“CIWQS”) Interactive Public SSO Reports and on the dates when no reports were filed by the City, all in violation of the CWA.

The City’s sewage collection system receives high flows during the rainy season, as a result of stormwater inflow and/or groundwater infiltration (I/I) into the sewage collection system from leaky sewer pipes and its failure to eliminate illegal connections of downspouts or yard drains. The sewage collection system currently has insufficient capacity to handle peak wet weather flows. During heavy storms, the sewage collection system becomes surcharged (pressurized due to higher than normal flows) and untreated sewage diluted with groundwater and stormwater overflow at various locations and eventually drain to San Mateo Creek and/or San Francisco Bay via storm drainage systems. These SSOs impact the water quality and beneficial uses of San Mateo Creek and/or San Francisco Bay. Some possible adverse effects on water quality and beneficial uses as a result of SSOs include:

- Adverse impact to fish and aquatic biota caused by solids deposition, oil and grease, and toxic pollutants common in sewage (such as heavy metals, pesticides, personal care products, and pharmaceuticals),
- Creation of a localized toxic environment in the water column as a result of the discharge of oxygen-demanding pollutants that lower dissolved oxygen,
- Elevated ammonia concentration which is a demonstrated fish toxicant,
- Impairment of water contact recreation and non-contact water recreation as a result of elevated bacteria levels including pathogens.

A review of the CIWQS Spill Public Report – Summary Page identifies the “Total Number of SSO locations” as 433, with 7,353,995 “Total Vol. of SSOs (gal)” discharged into the environment. Of this total volume, the City admits at least 6,951,782 gallons, or

94% of the total, reached a surface water. A review of the City's records indicates an even greater percentage of SSOs reached a drainage to a surface water or a surface water itself. Of the 7,353,995 gallons of sewage spilled, only **457,609** gallons were reported as being recovered (see **Exhibit A** – "San Mateo CWIQS Spill Public Report - Summary Page"). The remaining volume was discharged into the environment posing both a nuisance pursuant to California Water Code § 13050(m), and an imminent and substantial endangerment to public health and the environment.

A review of the CIWQS SSO Public Report – Detail Page specifically identifies at least 25% of recent SSOs reported as having reached a water of the United States (see **Exhibit B** – "San Mateo CWIQS SSO Public Report – Detail Page"). Most alarming is the size of a number of these events:

Event ID # 866779 - 139,230 gallons
Event ID # 856139 - 48,000 gallons
Event ID # 855446 - 27,750 gallons
Event ID # 843757 - 77,200 gallons
Event ID # 833137 - 183,220 gallons
Event ID # 832662 - 63,400 gallons
Event ID # 831932 - 21,180 gallons
Event ID # 831707 - 258,750 gallons
Event ID # 822727 - 66,000 gallons
Event ID # 822690 - 216,000 gallons.

All of the above-identified discharges are violations of CWA § 301(a), 33 U.S.C. § 1311(a), as discharges of a pollutant (sewage) from a point source (sewage collection system) to a water of the United States without complying with any other sections of the Act.

Further, these alleged discharges are violations of the City's NPDES permit, which states in **Section III. Discharge Prohibitions:**

B. Bypass of untreated or partially-treated wastewater to waters of the United States is prohibited, except as provided for in Attachment D section I.G.

E. Any sanitary sewer overflow that results in a discharge of untreated or partially-treated wastewater to waters of the United States is prohibited.

In addition, the City's NPDES permit, **Attachment G** – Regional Standard Provisions, and Monitoring and Reporting Requirements (Supplement to Attachment D), Section I "Standard Provisions – Permit Compliance" Subsection I.1. states:

“Neither the treatment nor the discharge of pollutants shall create pollution, contamination, or nuisance as defined by California Water Code section 13050.”

ii. Inadequate Reporting of Discharges

a. Incomplete and Inaccurate SSO Reporting

Full and complete reporting of SSOs is essential to gauging their impact to public health and the environment. The City’s SSO Reports, which should reveal critical details about each of these SSOs, lack responses to specific questions that would identify the causes and the potential repairs ensuring these violations would not recur.

In addition, River Watch’s expert believes many of the SSOs reported by the City as partially reaching a surface water did so in greater volume than stated. River Watch’s expert also believes that a careful reading of the time when the City receives notification of an SSO, the time of its response, and the time at which the SSO ended, too often appear as unlikely estimations. For example:

March 20, 2020 (Event ID # 865737) – The spill start time is reported as 5:03 PM, agency notification time as 5:34 PM, and operator arrival time as 5:05 PM - 29 minutes *before* notification. The spill end time is reported as 5:43 PM.

October 24, 2019 (Event ID # 862861) – The spill start time is reported as 9:45 AM on October 24, agency notification time as 9:06 AM on October 25, operator arrival time as 10:00 AM on *November 6*, and estimated spill end time as 10:40 AM on October 24.

February 14, 2019 (Event ID # 856139) – The spill start time and agency notification time are reported as 11:30 AM, operator arrival time as 11:15 AM, 15 minutes *before* notification, and the spill end time as 1:33 PM.

Given the unlikely accuracy of the times and intervals provided in these reports, it is difficult to consider the stated volumes as accurate. Without accurately reporting the spill start and end time, there is a danger that the duration and volume of a spill will be underestimated.

b. Failure to Warn

The City’s NPDES permit **Attachment G** – Regional Standard Provisions, and Monitoring and Reporting Requirements (Supplement to Attachment D), Section I “Standard Provisions – Permit Compliance”, Subsection I.2 states:

“Collection, treatment, storage, and disposal systems shall be operated in a manner that precludes public contact with wastewater. If public contact with wastewater could reasonably occur on public property, warning signs shall be posted.”

River Watch alleges the City is understating the significance of the impacts of its CWA violations by failing to post health warning signs for discharges reaching a surface water. For example, despite the obvious risk to health, the City did not post any warning signs to warn the public of the large spills detailed in Exhibit B, identified as Event ID #s 866779, 856139, 855446, 843757, 833137, 832662, 831932, 831707, 822727 and 822690.

iii. Failure to Mitigate Impacts

The City’s NPDES permit **Attachment D** – Standard Provisions, Section I. Standard Provisions – Permit Compliance, Subsection C. Duty to Mitigate, states:

“The City shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. § 122.41(d).)” River Watch alleges the City fails to adequately mitigate the impacts of SSOs.

In addition to the requirements under its NPDES permit, the City is subject to the requirements of the *Statewide General Requirements for Sanitary Sewer Systems, Waste Discharge Requirements*, Order No. 2006-0003-DWQ (“Statewide WDR”) governing the operation of sanitary sewer systems. The Statewide WDR requires the City to take all feasible steps, and perform necessary remedial actions following the occurrence of an SSO, including limiting the volume of waste discharged, terminating the discharge, and recovering as much of the wastewater as possible. Further remedial actions include intercepting and re-routing of wastewater flows, vacuum truck recovery of the SSO, cleanup of debris at the site, and modification of the collection system to prevent further SSOs at the site.

A critical remedial measure is the performance of adequate sampling to determine the nature and the impact of the release. As the City is severely underestimating SSOs which reach surface waters, River Watch contends the City is conducting inadequate sampling on most SSOs.

The EPA’s “Report to Congress on the Impacts and Control of CSOs and SSOs” (EPA, Office of Water (2004)) identifies SSOs as a major source of microbial pathogens and oxygen depleting substances. River Watch finds no record of the City’s performing any analysis of the impact of its SSOs on aquatic or wildlife habitat, nor any evaluation of the measures needed to restore water bodies designated as habitat from the impacts of SSOs.

B. Collection System Subsurface Discharges

It is a well-established fact that exfiltration caused by pipeline cracks and other structural defects in a sewer collection system result in discharges to adjacent surface waters via underground hydrological connections. River Watch alleges untreated sewage is discharged from cracks, displaced joints, eroded segments, etc., in the City's sewage collection system into groundwater hydrologically connected to surface waters including, but not limited to, tributaries of the San Francisco Bay such as Redwood Creek, San Mateo Creek, Poplar Creek and Burlingame Creek - all waters of the United States. Surface waters become contaminated with pollutants including human pathogens. Chronic failures in the sewage collection system pose a substantial threat to public health.

Studies tracing human markers specific to the human digestive system in surface waters adjacent to defective sewer lines in other systems have verified the contamination of the adjacent waters with untreated sewage.

Evidence of exfiltration can also be supported by reviewing mass balance data, I/I data, video inspection, as well as tests of waterways adjacent to sewer lines for nutrients, human pathogens and other human markers such as caffeine. Any exfiltration found is a violation of the City's NPDES Permit and therefore a violation of the CWA.

C. Violation of Effluent Limitations

A review of the City's Self-Monitoring Reports ("SMRs") identifies the violations of effluent limitations imposed under the City's NPDES Permit (see **Exhibit C** – Violations Notes).

The City is currently under a Cease and Desist Order R2-2009-0020 to eliminate sewer overflows, and is in the process of upgrading its aging WWTP. The upgrade and expansion project consists of new liquids treatment process facilities including headworks, primary treatment, biological nutrient removal/membrane bioreactor process, biological and chemically enhanced high-rate wet weather treatment, and other plant upgrades, including odor control, to serve the new facilities. The high-rate wet weather treatment process consists of a biological contact tank and high-rate clarification to provide secondary treatment of wet weather flows to eliminate blending and meet permit requirements. This project is scheduled to be constructed in three phases - Phase 1 is near completion, Phase 2 was initiated in June, 2020, and the anticipated start of Phase 3 is Autumn, 2020. However, there appear to be no plans to rehabilitate the sewage collection system and therefore SSO violations will occur in the future.

D. Violations of Receiving Water Limitations and Impacts to Beneficial Uses

River Watch is understandably concerned as to the effects of both surface and underground SSOs on critical habitat in and around the diverse and sensitive ecosystem of the WWTP and the City's SSOs.

Beneficial uses of the San Francisco Bay, Redwood Creek, San Mateo Creek, Poplar Creek, and Burlingame Creek include industrial service supply, commercial and sport fishing, shellfish harvesting, estuarine habitat, fish migration, preservation of rare and endangered species, fish spawning, wildlife habitat, water contact recreation, non-contact water recreation, and navigation.

Discharges in excess of receiving water and groundwater limitations reaching these waters cause prohibited pollution by unreasonably affecting their beneficial uses. In order to protect these beneficial uses, the City is required by its NPDES permit to ensure that discharges shall not cause the listed fourteen (14) limitations to be exceeded (Section V. Receiving Water Limitations). River Watch finds insufficient information in the public record demonstrating the City has monitored for and complied with these receiving water standards.

3. The Person or Persons Responsible for the Alleged Violation

The entity responsible for the alleged violations identified in this Notice is the City of San Mateo and those of its employees responsible for compliance with the CWA and with any applicable state and federal regulations and permits.

4. The Location of the Alleged Violation

The location or locations of the various violations alleged in this Notice are identified in records created and/or maintained by or for the City which relate to its ownership and operation of the WWTP and associated sewage collection system, as further described in this Notice.

The City is located approximately 20 miles south of San Francisco and 31 miles northwest of San Jose, directly west of the lower portion of San Francisco Bay and adjacent to one of the most sensitive estuaries in the United States. It supports an estimated population (as of 2019) of 104,430.

5. Range of Dates During Which the Alleged Activity Occurred

The range of dates covered by this Notice is September 10, 2015 to the present. This Notice also includes all violations of the CWA by the City which occur after the

range of dates covered by this Notice up to and including the time of trial. Some violations are continuous, and therefore each day constitutes a violation.

6. Name, Address, and Telephone Number of the Person Giving Notice

The entity giving notice is California River Watch, referred to throughout this notice as "River Watch," an Internal Revenue Code § 501(c)(3) nonprofit, public benefit corporation duly organized under the laws of the State of California. Its headquarters and main office are located in Sebastopol. Its mailing address is 290 South Main Street, #817, Sebastopol, CA 95472. River Watch is dedicated to protecting, enhancing, and helping to restore surface waters and ground waters of California including coastal waters, rivers, creeks, streams, wetlands, vernal pools, aquifers and associated environs, biota, flora and fauna, and educating the public concerning environmental issues associated with these environs.

River Watch may be contacted via email: US@ncriverwatch.org, or through its attorneys. River Watch has retained legal counsel with respect to the issues raised in this Notice. All communications should be directed to counsel identified below:

Jack Silver, Esq.
Law Office of Jack Silver
708 Gravenstein Highway North, #407
Sebastopol, CA 95472
Tel. 707-528-8175
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David Weinsoff, Esq.
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138 Ridgeway Avenue
Fairfax, CA 94930
Tel. (415) 460-9760
Email: david@weinsofflaw.com

RECOMMENDED REMEDIAL MEASURES

River Watch looks forward to meeting with City staff to tailor remedial measures to the specific operation of the WWTP and associated sewage collection system.

In advance of that conversation, River Watch identifies the following set of general remedial categories that will advance compliance with the CWA and the Basin Plan, and help economize the time and effort the parties need to resolve their concerns:

1. A full condition assessment of the sewage collection system including setting timelines for repairing or replacing significantly defective assets including sewer lines, manholes and pump/lift stations.
2. Mitigating the effects of SSOs.
3. Adequate public and worker safety including protocols to minimize exposure to infectious vectors.

4. Elimination of the use of chemical root control.
5. A Supplemental Environmental Project ("SEP") in lieu of penalties.

CONCLUSION

The violations set forth in this Notice affect the health and enjoyment of members of River Watch who reside and recreate in the affected community and may use the affected watershed for recreation, fishing, hiking, photography or nature walks. Their health, use and enjoyment of this natural resource is specifically impaired by the City's alleged violations of the CWA as set forth in this Notice.

CWA §§ 505(a)(1) and 505(f) provide for citizen enforcement actions against any "person", including a governmental instrumentality or agency, for violations of NPDES permit requirements and for un-permitted discharges of pollutants. 33 U.S.C. §§ 1365(a)(1) and (f), 33 U.S.C. § 1362(5). An action for injunctive relief under the CWA is authorized by 33 U.S.C. § 1365(a). Violators of the Act are also subject to an assessment of civil penalties on a per day/per violation for all violations pursuant to Sections 309(d) and 505 of the Act, 33 U.S.C. §§ 1319(d), 1365. *See also* 40 C.F.R. §§ 19.1 – 19.4. River Watch believes this Notice sufficiently states grounds for filing suit in federal court under the "citizen suit" provisions of CWA to obtain the relief provided for under the law.

The CWA specifically provides a **60-day** "notice period" to promote resolution of disputes. River Watch strongly encourages the City to contact counsel for River Watch within **20 days** after receipt of this Notice to initiate a discussion regarding the allegations detailed herein. In the absence of productive discussions to resolve this dispute, River Watch will have cause to file a citizen's suit under CWA § 505(a) when the 60-day notice period ends.

Very truly yours,



Jack Silver

JS:lhbm

Service List

Andrew R. Wheeler, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

~~John W. Busterud~~, Regional Administrator
U.S. Environmental Protection Agency Region 9
75 Hawthorne St.
San Francisco, CA 94105

Eileen Sobek, Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Shawn M. Mason, Esq.
Office of the City Attorney
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403-1338

EXHIBIT A

[California Home](#)

Friday, September 04, 2020



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

California Integrated Water Quality System Project (CIWQS)

Spill Public Report – Summary Page

Here is the summary page with the results of your spill public report search. These results correspond to the following search criteria:

SEARCH CRITERIA: [\[REFINE SEARCH\]](#)

- Agency (San Mateo City)
- Spill Type (sso_cat1_2_3)

Please see the [Glossary of Terms](#) for explanations of the search results column headings. **More information about the report is found at the bottom of this page.**

Note: For the "Collection System Performance Report" column, the Performance report will only show the most recent 12 months of data if in the original SSO Interactive Report search the date range was not specified.

[\[VIEW PRINTER FRIENDLY VERSION\]](#)
[\[EXPORT THIS REPORT TO EXCEL\]](#)
[\[EXPORT ALL SPILL DETAILS TO EXCEL\]](#)

Region	Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol of Recover (gal)	Total Vol Reach Surface Water	Percent Recover	Percent Surface Water	Percent Surface Sewer	Miles Pressure	Miles Gravity	Miles of Laterals	Number of Pumps	WDID	Collection System Performance Report
2	San Mateo City	San Mateo City CS	433	7,353,995	457,609	6,951,782	6	94	10.89	229.86	0.0	27	2SSO10183		Operational Performance
			433	7,353,995	457,609	6,951,782				10.8	229.8	0.0	27.0		

Each individual SSO report contains the data related to one specific location where sewage discharged from the sanitary sewer system due to a failure (e.g., sewer pipe blockage or pump failure). A single failure within a sanitary sewer system can result in multiple sewage discharge locations and, thus, multiple SSO reports. For example, a lift station power failure can result in sewage being discharged from numerous manholes. In this example, a SSO report would be submitted for each manhole that discharged sewage with all reports sharing the same failure or cause data.

It is important to review SSO reports in detail to determine if individual sewage discharge locations share a common underlying failure or cause when assessing the performance of Enrollees and their sanitary sewer systems through SSO events. This is because it is the failures that are the ultimate problem which the Enrollees should be making all reasonable efforts to prevent.

The search results below present summary data for all sewage discharge locations, as submitted through individual SSO reports, which meet the search criteria selected. To determine if SSO reports relate to a common failure within the sanitary sewer system, the SSO reports should be reviewed in detail by selecting the specific "agency" or "collection sys" name from the table below.

The "agency", or Enrollee, listed on a SSO report is responsible for the sewage discharge described and should be contacted directly for questions related to that incident.

The current report was generated with real-time data entered by Enrollees.

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EXHIBIT B

California Home

Friday, August 28, 2020



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY STATE WATER RESOURCES CONTROL BOARD

California Integrated Water Quality System Project (CIWQS)

SSO Public Report - Detail Page

Here is the detail page of your SSO public report search for the selected region, responsible agency, or collection system. These results correspond to the following search criteria:

SEARCH CRITERIA: [\[REFINE SEARCH\]](#)

- Region (2)
- Spill Type (sso_cat1_2_3)

The table below presents important details for all sewage discharge locations, as submitted through individual SSO reports, which meet the search criteria selected. If data is not shown for a particular field, it means the Enrollee did not provide the information and was not required to do so. To view the entire SSO report for a specific sewage discharge location, please select the corresponding EVENT ID.

DRILLDOWN HISTORY: [\[GO BACK TO SUMMARY PAGE\]](#)

REGION: 2

[\[NEW PRINTER FRIENDLY VERSION\]](#)

EVENT ID	Region	Responsible Agency	Collection System	SSO Category	Start Date	SSO Vol	Vol of SSO Recovered	Vol of SSO Reached Surface Water	SSO Failure Point	WDID
858019	2	San Mateo City	San Mateo City CS	Category 1	2020-07-21 14:23:00.0	58	0	58	Gravity Mainline	2SSO10183
867868	2	San Mateo City	San Mateo City CS	Category 3	2020-07-13 13:15:00.0	20	20	0	Gravity Mainline	2SSO10183
867395	2	San Mateo City	San Mateo City CS	Category 3	2020-06-05 10:33:00.0	200	200	0	Gravity Mainline	2SSO10183
866779	2	San Mateo City	San Mateo City CS	Category 1	2020-05-09 23:00:00.0	139,230	21,600	139,230	Gravity Mainline	2SSO10183
866370	2	San Mateo City	San Mateo City CS	Category 3	2020-04-24 09:45:00.0	810	810	0	Air Relief Valve (ARV)/Blow-Off Valve (BOV)	2SSO10183
866058	2	San Mateo City	San Mateo City CS	Category 1	2020-04-07 10:49:00.0	101	44	57	Gravity Mainline	2SSO10183
865945	2	San Mateo City	San Mateo City CS	Category 3	2020-04-03 11:02:00.0	18	15	0	Gravity Mainline	2SSO10183
865737	2	San Mateo City	San Mateo City CS	Category 2	2020-03-20 17:03:00.0	2,575	2,000	0	Gravity Mainline	2SSO10183
865751	2	San Mateo City	San Mateo City CS	Category 3	2020-03-04 13:16:00.0	21	21	0	Gravity Mainline	2SSO10183
864300	2	San Mateo City	San Mateo City CS	Category 3	2020-01-09 09:00:00.0	35	35	0	Pump Station-Power	2SSO10183
863004	2	San Mateo City	San Mateo City CS	Category 3	2019-11-17 11:00:00.0	306	306	0	Lower Lateral (Public)	2SSO10183
862745	2	San Mateo City	San Mateo City CS	Category 3	2019-11-07 10:40:00.0	255	255	0	Gravity Mainline	2SSO10183
862726	2	San Mateo City	San Mateo City CS	Category 3	2019-10-24 18:25:00.0	59	59	0	Gravity Mainline	2SSO10183
862377	2	San Mateo City	San Mateo City CS	Category 3	2019-10-24 15:01:00.0	4	4	0	Gravity Mainline	2SSO10183
862861	2	San Mateo City	San Mateo City CS	Category 1	2019-10-24 09:45:00.0	1,310	655	1,310	Gravity Mainline	2SSO10183
862782	2	San Mateo City	San Mateo City CS	Category 1	2019-10-23 08:30:00.0	310	0	310	Gravity Mainline	2SSO10183
862472	2	San Mateo City	San Mateo City CS	Category 3	2019-10-11 07:30:00.0	149	149	0	Gravity Mainline	2SSO10183
860779	2	San Mateo City	San Mateo City CS	Category 3	2019-07-28 11:00:00.0	535	535	0	Gravity Mainline	2SSO10183
858649	2	San Mateo City	San Mateo City CS	Category 1	2019-05-28 22:06:00.0	2,662	0	2,662	Manhole	2SSO10183
857790	2	San Mateo City	San Mateo City CS	Category 3	2019-04-17 10:45:00.0	469	469	0	Gravity Mainline	2SSO10183
857730	2	San Mateo City	San Mateo City CS	Category 3	2019-04-16 13:19:00.0	467	467	0	Gravity Mainline	2SSO10183
857102	2	San Mateo City	San Mateo City CS	Category 2	2019-03-21 09:16:00.0	2,019	2,019	0	Air Relief Valve (ARV)/Blow-Off Valve (BOV)	2SSO10183
857370	2	San Mateo City	San Mateo City CS	Category 3	2019-03-13 11:20:00.0	1	1	0	Gravity Mainline	2SSO10183
857098	2	San Mateo City	San Mateo City CS	Category 3	2019-03-11 08:52:00.0	59	59	0	Gravity Mainline	2SSO10183
856815	2	San Mateo City	San Mateo City CS	Category 1	2019-03-06 07:30:00.0	1,300	1,000	300	Gravity Mainline	2SSO10183
856809	2	San Mateo City	San Mateo City CS	Category 3	2019-03-06 06:30:00.0	780	600	0	Gravity Mainline	2SSO10183
856354	2	San Mateo City	San Mateo City CS	Category 3	2019-02-22 08:45:00.0	14	14	0	Gravity Mainline	2SSO10183
856139	2	San Mateo City	San Mateo City CS	Category 1	2019-02-14 11:30:00.0	48,000	0	48,000	Gravity Mainline	2SSO10183
855887	2	San Mateo City	San Mateo City CS	Category 3	2019-01-29 12:00:00.0	425	200	0	Gravity Mainline	2SSO10183
855525	2	San Mateo City	San Mateo City CS	Category 1	2019-01-19 12:38:00.0	47,123	43,623	3,500	Air Relief Valve (ARV)/Blow-Off Valve (BOV)	2SSO10183
855919	2	San Mateo City	San Mateo City CS	Category 3	2019-01-17 10:45:00.0	837	837	0	Gravity Mainline	2SSO10183
855446	2	San Mateo City	San Mateo City CS	Category 1	2019-01-16 21:25:00.0	24,750	0	24,750	Gravity Mainline	2SSO10183

EXHIBIT B

855246	2	San Mateo City	San Mateo City CS	Category 1	2019-01-10 07:00:00.0	1,250	0	1,250	Gravity Mainline 2SSO10183
855162	2	San Mateo City	San Mateo City CS	Category 1	2019-01-06 18:38:00.0	5,700	0	5,700	Gravity Mainline 2SSO10183
855326	2	San Mateo City	San Mateo City CS	Category 3	2019-01-02 09:00:00.0	135	135	0	Gravity Mainline 2SSO10183
854597	2	San Mateo City	San Mateo City CS	Category 3	2018-12-15 16:00:00.0	7	7	0	Gravity Mainline 2SSO10183
853870	2	San Mateo City	San Mateo City CS	Category 3	2018-11-30 08:30:00.0	135	135	0	Gravity Mainline 2SSO10183
851480	2	San Mateo City	San Mateo City CS	Category 3	2018-09-28 09:00:00.0	167	10	0	Gravity Mainline 2SSO10183
852129	2	San Mateo City	San Mateo City CS	Category 3	2018-09-07 10:45:00.0	255	255	0	Gravity Mainline 2SSO10183
849398	2	San Mateo City	San Mateo City CS	Category 2	2018-07-21 20:30:00.0	7,776	7,776	0	Force Main 2SSO10183
849595	2	San Mateo City	San Mateo City CS	Category 3	2018-06-25 11:40:00.0	104	104	0	Gravity Mainline 2SSO10183
849046	2	San Mateo City	San Mateo City CS	Category 3	2018-06-20 18:10:00.0	55	55	0	Gravity Mainline 2SSO10183
849108	2	San Mateo City	San Mateo City CS	Category 3	2018-06-15 07:30:00.0	963	963	0	Gravity Mainline 2SSO10183
846263	2	San Mateo City	San Mateo City CS	Category 3	2018-03-08 09:55:00.0	18	18	0	Gravity Mainline 2SSO10183
846260	2	San Mateo City	San Mateo City CS	Category 3	2018-03-06 08:10:00.0	57	57	0	Gravity Mainline 2SSO10183
846099	2	San Mateo City	San Mateo City CS	Category 3	2018-03-01 12:36:00.0	20	20	0	Gravity Mainline 2SSO10183
844612	2	San Mateo City	San Mateo City CS	Category 3	2018-01-18 10:05:00.0	17	17	0	Gravity Mainline 2SSO10183
843757	2	San Mateo City	San Mateo City CS	Category 1	2018-01-08 22:05:00.0	77,200	0	77,200	Gravity Mainline 2SSO10183
844081	2	San Mateo City	San Mateo City CS	Category 3	2017-12-05 09:20:00.0	476	476	0	Gravity Mainline 2SSO10183
838872	2	San Mateo City	San Mateo City CS	Category 3	2017-08-12 07:00:00.0	72	72	0	Gravity Mainline 2SSO10183
835278	2	San Mateo City	San Mateo City CS	Category 3	2017-05-17 20:00:00.0	25	25	0	Gravity Mainline 2SSO10183
835001	2	San Mateo City	San Mateo City CS	Category 1	2017-05-02 09:30:00.0	30	15	30	Gravity Mainline 2SSO10183
834958	2	San Mateo City	San Mateo City CS	Category 1	2017-04-29 14:30:00.0	663	47	616	Gravity Mainline 2SSO10183
833765	2	San Mateo City	San Mateo City CS	Category 2	2017-03-17 07:00:00.0	1,575	1,575	0	Gravity Mainline 2SSO10183
833762	2	San Mateo City	San Mateo City CS	Category 1	2017-03-17 06:00:00.0	1,800	1,100	700	Gravity Mainline 2SSO10183
833825	2	San Mateo City	San Mateo City CS	Category 3	2017-02-23 08:54:00.0	222	222	0	Gravity Mainline 2SSO10183
833137	2	San Mateo City	San Mateo City CS	Category 1	2017-02-20 16:28:00.0	183,220	0	183,220	Gravity Mainline 2SSO10183
832771	2	San Mateo City	San Mateo City CS	Category 2	2017-02-09 10:30:00.0	3,390	3,390	0	Gravity Mainline 2SSO10183
832662	2	San Mateo City	San Mateo City CS	Category 1	2017-02-07 09:11:00.0	63,400	0	63,400	Gravity Mainline 2SSO10183
832503	2	San Mateo City	San Mateo City CS	Category 3	2017-02-06 07:45:00.0	282	0	0	Gravity Mainline 2SSO10183
833621	2	San Mateo City	San Mateo City CS	Category 3	2017-02-01 14:30:00.0	171	171	0	Gravity Mainline 2SSO10183
831932	2	San Mateo City	San Mateo City CS	Category 1	2017-01-20 08:09:00.0	21,180	0	21,180	Gravity Mainline 2SSO10183
831707	2	San Mateo City	San Mateo City CS	Category 1	2017-01-10 15:30:00.0	258,750	0	258,750	Gravity Mainline 2SSO10183
831214	2	San Mateo City	San Mateo City CS	Category 1	2016-12-28 12:30:00.0	150	135	15	Gravity Mainline 2SSO10183
829822	2	San Mateo City	San Mateo City CS	Category 2	2016-11-14 13:06:00.0	4,485	4,485	0	Air Relief Valve (ARV)/Blow-Off Valve (BOV)
829950	2	San Mateo City	San Mateo City CS	Category 3	2016-11-01 10:30:00.0	150	150	0	Gravity Mainline 2SSO10183
829938	2	San Mateo City	San Mateo City CS	Category 3	2016-10-30 13:30:00.0	2	2	0	Gravity Mainline 2SSO10183
824339	2	San Mateo City	San Mateo City CS	Category 3	2016-05-01 21:00:00.0	112	112	0	Gravity Mainline 2SSO10183
824948	2	San Mateo City	San Mateo City CS	Category 3	2016-04-20 12:00:00.0	636	636	0	Force Main 2SSO10183
823712	2	San Mateo City	San Mateo City CS	Category 3	2016-03-26 08:49:00.0	80	80	0	Gravity Mainline 2SSO10183
823291	2	San Mateo City	San Mateo City CS	Category 1	2016-03-23 02:45:00.0	900	145	755	Pump Station-Power 2SSO10183
823324	2	San Mateo City	San Mateo City CS	Category 3	2016-03-14 09:41:00.0	46	46	0	Gravity Mainline 2SSO10183
823313	2	San Mateo City	San Mateo City CS	Category 1	2016-03-13 19:30:00.0	80,900	80,000	900	Gravity Mainline 2SSO10183
823373	2	San Mateo City	San Mateo City CS	Category 3	2016-03-11 14:00:00.0	101	25	0	Gravity Mainline 2SSO10183
822727	2	San Mateo City	San Mateo City CS	Category 1	2016-03-06 23:00:00.0	146,000	80,000	66,000	Gravity Mainline 2SSO10183
822690	2	San Mateo City	San Mateo City CS	Category 1	2016-03-05 21:00:00.0	296,000	80,000	216,000	Gravity Mainline 2SSO10183
822565	2	San Mateo City	San Mateo City CS	Category 3	2016-03-01 08:25:00.0	18	18	0	Gravity Mainline 2SSO10183
822590	2	San Mateo City	San Mateo City CS	Category 3	2016-02-24 10:00:00.0	19	19	0	Gravity Mainline 2SSO10183
822638	2	San Mateo City	San Mateo City CS	Category 3	2016-02-12 10:00:00.0	6	6	0	Gravity Mainline 2SSO10183
822053	2	San Mateo City	San Mateo City CS	Category 3	2016-02-11 11:00:00.0	149	149	0	Gravity Mainline 2SSO10183
821285	2	San Mateo City	San Mateo City CS	Category 3	2016-01-25 09:10:00.0	64	64	0	Gravity Mainline 2SSO10183
821341	2	San Mateo City	San Mateo City CS	Category 2	2016-01-24 15:00:00.0	3,191	3,191	0	Gravity Mainline 2SSO10183

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821265	2	San Mateo City	San Mateo City CS	Category 1	2015-01-20 14:35:00.0	2,170	170	2,000	Gravity Mainline 2SSO10183
821233	2	San Mateo City	San Mateo City CS	Category 3	2016-01-19 20:30:00.0	271	271	0	Gravity Mainline 2SSO10183
820404	2	San Mateo City	San Mateo City CS	Category 3	2015-12-10 10:15:00.0	750	750	0	Gravity Mainline 2SSO10183
820397	2	San Mateo City	San Mateo City CS	Category 3	2015-12-09 13:00:00.0	306	306	0	Gravity Mainline 2SSO10183
819994	2	San Mateo City	San Mateo City CS	Category 3	2015-12-04 09:25:00.0	23	23	0	Gravity Mainline 2SSO10183
819953	2	San Mateo City	San Mateo City CS	Category 3	2015-12-02 21:50:00.0	324	324	0	Gravity Mainline 2SSO10183
819982	2	San Mateo City	San Mateo City CS	Category 2	2015-11-24 08:00:00.0	1,068	1,068	0	Gravity Mainline 2SSO10183
819927	2	San Mateo City	San Mateo City CS	Category 2	2015-11-23 08:15:00.0	2,797	2,797	0	Gravity Mainline 2SSO10183
818960	2	San Mateo City	San Mateo City CS	Category 3	2015-10-19 10:30:00.0	167	167	0	Air Relief Valve (ARV)/Blow-Off Valve (BOV) 2SSO10183
817742	2	San Mateo City	San Mateo City CS	Category 3	2015-08-27 00:30:00.0	525	525	0	Air Relief Valve (ARV)/Blow-Off Valve (BOV) 2SSO10183
817217	2	San Mateo City	San Mateo City CS	Category 3	2015-08-05 12:20:00.0	32	32	0	Gravity Mainline 2SSO10183
816869	2	San Mateo City	San Mateo City CS	Category 3	2015-07-25 19:00:00.0	30	30	0	Gravity Mainline 2SSO10183
816628	2	San Mateo City	San Mateo City CS	Category 3	2015-07-12 18:25:00.0	12	12	0	Gravity Mainline 2SSO10183
815521	2	San Mateo City	San Mateo City CS	Category 3	2015-07-10 09:30:00.0	28	0	0	Gravity Mainline 2SSO10183
816493	2	San Mateo City	San Mateo City CS	Category 3	2015-07-05 09:00:00.0	37	0	0	Gravity Mainline 2SSO10183
814711	2	San Mateo City	San Mateo City CS	Category 1	2015-04-19 16:30:00.0	1,650	0	1,650	Gravity Mainline 2SSO10183
814735	2	San Mateo City	San Mateo City CS	Category 3	2015-03-30 12:40:00.0	10	10	0	Gravity Mainline 2SSO10183
813631	2	San Mateo City	San Mateo City CS	Category 3	2015-03-03 07:30:00.0	150	150	0	Gravity Mainline 2SSO10183

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The current report was generated with real-time data entered by Enrollees.

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EXHIBIT C

Violations

<u>Violation ID</u>	<u>Occurred Date</u>	<u>Violation Type</u>	<u>(-) Violation Description</u>	<u>Corrective Action</u>	<u>Status</u>	<u>Classification</u>	<u>Source</u>
1061128	03/12/2019	Order Conditions	The City needs to update its Sewer System Management Plan elements related to operation and maintenance, FOG, and internal biannual auditing		Violation	B	Inspection
1037032	01/08/2018	SSOS	Rainfall Exceeded Design, I and I (Separate CS Only) caused 77200.0 gallons of sewage to spill from Manhole; 4 manholes on same Sewer main at 25th Ave @ S. Delaware to Surface Water. Surface water body affected (Borel Creek and Marina Lagoon).	Cleaned-Up; Mitigated Effects of Spill; Contained all or portion of spill; Restored flow; Returned Portion of Spill to Sanitary Sewer System. We have 80,000 gal storm event relief tanks that were used to full capacity before the SSO occurred. We were able to keep an additional 80,000 gallons from entering surface waters.	Violation	B	SSO
1020900	02/20/2017	SSOS	Rainfall Exceeded Design, I and I (Separate CS Only) caused 183220.0 gallons of sewage to spill from Manhole; 4 manholes on same gravity mainline at 25th Ave @ S. Delaware to Surface Water; Borel Creek, Marina Lagoon. Surface water body affected (Borel Creek, Marina Lagoon).	Cleaned-Up; Mitigated Effects of Spill; Contained all or portion of spill; Restored flow; Returned Portion of Spill to Sanitary Sewer System.	Violation	U	SSO
1020201	02/07/2017	SSOS	Rainfall Exceeded Design, I and I (Separate CS Only) caused 63400.0 gallons of sewage to spill from Manhole; Two manholes on same gravity mainline at 25th Ave @ S. Delaware to Surface Water; Borel Creek, Marina Lagoon. Surface water body affected (Borel creek, Marina Lagoon).	Cleaned-Up; Mitigated Effects of Spill; Contained all or portion of spill; Restored flow; Returned Portion of Spill to Sanitary Sewer System.	Violation	U	SSO
1017852	01/10/2017	SSOS	Rainfall Exceeded Design, I and I (Separate CS Only) caused 258750.0 gallons of sewage to spill from Manhole; 3 Manholes on same mainline at 25th ave. @ S. Delaware to Surface Water. Surface water body affected (Borel Creek and Marina Lagoon).	Cleaned-Up; Mitigated Effects of Spill; Contained all or portion of spill; Restored flow; Returned Portion of Spill to Sanitary Sewer System. We have 80,000 gallon storm event relief tanks that were used to full capacity before the SSO occurred. We were able to keep an additional 80,000 gallons from entering surface waters.	Violation	U	SSO
1012887	09/16/2016	LREP	Missing 3 no SSO certification statements from 9/9/13 - 6/30/16		Violation	3	Report
1012804	09/14/2016	LREP	4 late no SSO certification statements from 9/9/13 - 6/30/16		Violation	3	Report
1012760	09/13/2016	LREP	22 late SSO certification statements from 9/9/13 - 6/30/16		Violation	3	Report

Report displays most recent five years of violations. Refer to the [Interactive Violation Report](#) for more data.

Total Violations: 8

Priority Violations: 0



Violations EXHIBIT C

Violation ID	Occurred Date	Violation Type	(-) Violation Description	Corrective Action	Status	Classification	Source
1077307	06/12/2020	Order Conditions	<p>On Friday, June 12, 2020 at the City of San Mateo WWTP, approximately 250 gallons of secondary pump pit sump discharge was pumped through a cracked 3" PVC line into our back alley. Approximately 50 gallons made its way under the fence and into Leslie Creek, which is currently dammed off from Seal Slough and is stagnant. On Friday at 2015 Operations received a high-level sump alarm in the secondary pump pit. Upon investigation the sump was found to be locally off, the breaker de-energized, and an additional sump pump and hose routed to an offline tank installed. The supervisor failed to comprehend the situation as the breaker was de-energized and not LOTO. The Supervisor energized the breaker and set the pump to auto and watched the sump level drop. Upon exiting the secondary pump pit, he witnessed the sump discharge spraying into the back alley. By the time he made it back to the pump controls the sump had reached its low setpoint and shut off. The day shift failed to update the night shift of this damaged discharge line. The secondary pump pit sits below sea level and receives salt water infiltration via floor drains. Two separate samples of the secondary pump pit sump were taken and analyzed by our Laboratory. The first sample, taken immediately after the discharge, is a more representative sample of what made its way into Leslie Creek as the sump still had a residual level</p>	<p>Operations is required to LOTO all equipment that is left out of service past their shift. The imperative nature of LOTO has been reiterated to the Operations department. All Shift Supervisor's and Op I's are required to read the previous crews log entries immediately after turnover. Ultimately, secondary pump pit sump discharge line, will be rerouted to a tank within the walls of the pump pit to remove any chance that this line will ever make its way to Leslie Creek again.</p>	Violation	U	eSMR
1077306	06/06/2020	CAT1	<p>Total Suspended Solids (TSS) Weekly Average (Mean) limit is 30 mg/L and reported value was 39.6 mg/L at EFF-001.</p>	<p>On Wednesday, 6.3.2020, a microscope examination revealed an excessive amount of filaments in the process combined with an SVI of 497. Operations started chlorinating the RAS and increased the WAS rate to remove the filaments from the system. Since June 13, final effluent TSS has been continuously dropping down to less than 20 mg/L. In the latest two weeks of June, the daily TSS is stable within range 6-8 mg/L. The monthly average in June is 20.3 mg/L, which does not exceed the permit limitation. The plant has instituted an SVI rule. If the SVI exceeds 330mg/L for two consecutive days and the effluent TSS is over 10mg/L we start chlorinating the RAS at 18lbs.</p>	Violation	U	eSMR
1070220	08/11/2019	Order Conditions	<p>On August 11, 2019, due to the failure of Chlorine Contact Tank #1 sodium hypochlorite feed pump on motor overload, approximately 300,000 gallons of non-chlorinated / non-disinfected effluent made its way to the San Francisco Bay via the outfall line.</p>	<p>A weekly PM will be generated to confirm the standby HYPO feed pump is operable and ready for service as needed.</p>	Violation	U	eSMR
1064629	08/11/2019	Order Conditions	<p>On August 11, 2019, due to the failure of Chlorine Contact Tank #1 sodium hypochlorite feed pump on motor overload, approximately 300,000 gallons of non-chlorinated / non-disinfected effluent made its way to the San Francisco Bay via the outfall line.</p>	<p>A weekly PM will be generated to confirm the standby HYPO feed pump is operable and ready for service as needed.</p>	Violation	U	eSMR
1025197	04/20/2017	CAT2	<p>Chlorine, Total Residual Instantaneous Maximum limit is 0 mg/L and reported value was 0.8 mg/L at EFF-001.</p>	<p>Plant Staff updated the Plant Shutdown SOP to improve the disinfection procedures during a plant shutdown. New disinfection equipment including upgraded monitoring and dosing equipment is planned to be installed during the upcoming fiscal year (FY 17/18).</p>	Violation	U	eSMR
1018138	12/23/2016	CAT2	<p>Chlorine, Total Residual Instantaneous Maximum limit is 0 mg/L and reported value was 4.15 mg/L at EFF-001.</p>	<p>The City has actively addressed the shortcomings in the electrical supply to the disinfection processes and will incorporated fail-safe design and equipment features into the site preparation study for the electrical support of the newly-planned Plant. Since the upgrade plans will still be several years into the future, the City will be promptly examining a smaller back-up power project for this leg of the electrical system to help avoid power-related failures of our disinfection system in the future.</p>	Violation	U	eSMR